

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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ROCHESTER-GENESEE REGIONAL  
TRANSPORTATION AUTHORITY,

Plaintiff,

DECISION AND ORDER

07-CV-6378L

v.

BRIGID HYNES-CHERIN, as  
Regional Administrator for Region II of  
the Federal Transit Administration,

Defendant,

UNITED FOOD AND COMMERCIAL WORKERS  
DISTRICT LOCAL ONE,  
LAIDLAW TRANSIT, INC.  
doing business as  
Laidlaw Education Services,

Intervenors.

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By Decision and Order entered August 28, 2007 (Dkt. # 33) the Court stayed the decision of the Federal Transit Administration (“FTA”) dated July 30, 2007, pending judicial review, until October 1, 2007. Thereafter, after hearing argument of counsel, the Court extended that stay until November 2, 2007 by Decision and Order entered September 20, 2007 (Dkt. # 42). Familiarity with both orders is presumed.

On October 19, 2007, representatives of the parties and counsel appeared before the Court, via telephone conference, and presented arguments relative to extending the stay. At the conclusion of the arguments, the Court entered an oral decision granting, in part, plaintiff's request to extend the stay and denied the request of intervenor Laidlaw Transit, Inc. to partially lift the stay. That oral decision is incorporated here by reference.

### CONCLUSION


Plaintiff's request to extend the stay is granted in part and the stay previously entered by the Court is hereby extended until February 15, 2008. Intervenor Laidlaw Transit, Inc.'s request to partially lift the stay and allow Laidlaw to service some of the high schools at issue in this case is denied.

Counsel for the parties are directed to work together to provide a reasonably prompt briefing schedule on the motion for a preliminary injunction.

Intervenor Laidlaw Transit, Inc.'s request that the Court require plaintiff to post a bond is denied.

The parties are directed to work together to report to this Court on or before December 31, 2007 as to the status of Laidlaw Transit, Inc.'s, or other providers', ability to provide full service to all high schools in the Rochester City School District.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "David G. Larimer", is written over a horizontal line.

DAVID G. LARIMER  
United States District Judge

Dated: Rochester, New York  
October 24, 2007.